

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS EUGENE SMITH,

Defendant.

**SEALED**  
FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK

INDICTMENT

18 U.S.C. § 1591(a)

18 U.S.C. § 1594(a)

18 U.S.C. § 2251(a)&(e)

18 U.S.C. § 2422(b)

18 U.S.C. § 2423(a)

The Grand Jury charges that

**COUNT I**

On or about July 17, 2021, through July 19, 2021, in the District of Nebraska and elsewhere, in and affecting interstate commerce, the defendant, DENNIS EUGENE SMITH, did knowingly recruit, entice, harbor, transport, provide, obtain, maintain, patronize, and solicit a girl less than 14 years of age identified as MINOR VICTIM 1, having had a reasonable opportunity to observe MINOR VICTIM 1 and knowing and in reckless disregard that MINOR VICTIM 1 was under the age of 18 years old and knowing and in reckless disregard that MINOR VICTIM 1 would be caused to engage in a commercial sex act.

In violation of Title 18, United States Code, Section 1591(a) and (b)(1).

**COUNT II**

On or about March 3, 2021, through July 19, 2021, in the District of Nebraska and elsewhere, in and affecting interstate commerce, the defendant, DENNIS EUGENE SMITH, did knowingly attempt to recruit, entice, harbor, transport, provide, obtain, maintain, patronize, and solicit a girl less than 14 years of age identified as MINOR VICTIM 2, having had a reasonable opportunity to observe MINOR VICTIM 2 and knowing and in reckless disregard that MINOR

VICTIM 2 was under the age of 18 years old and knowing and in reckless disregard that MINOR VICTIM 2 would be caused to engage in a commercial sex act and such offense was effected by means of force, threats of force, fraud, and coercion.

In violation of Title 18, United States Code, Sections 1594(a) and 1591(b)(1).

**COUNT III**

On or about June 10, 2021, through July 19, 2021, in the District of Nebraska and elsewhere, in and affecting interstate commerce, the defendant, DENNIS EUGENE SMITH, did knowingly recruit, entice, harbor, transport, provide, obtain, maintain, patronize, and solicit a girl less than 14 years of age identified as MINOR VICTIM 3, having had a reasonable opportunity to observe MINOR VICTIM 3 and knowing and in reckless disregard that MINOR VICTIM 3 was under the age of 18 years old and knowing and in reckless disregard that MINOR VICTIM 3 would be caused to engage in a commercial sex act.

In violation of Title 18, United States Code, Section 1591(a) and (b)(1).

**COUNT IV**

On or about June 10, 2021, through July 19, 2021, in the District of Nebraska and elsewhere, in and affecting interstate commerce, the defendant, DENNIS EUGENE SMITH, did knowingly recruit, entice, harbor, transport, provide, obtain, maintain, patronize, and solicit a girl less than 14 years of age identified as MINOR VICTIM 4, having had a reasonable opportunity to observe MINOR VICTIM 4 and knowing and in reckless disregard that MINOR VICTIM 4 was under the age of 18 years old and knowing and in reckless disregard that MINOR VICTIM 4 would be caused to engage in a commercial sex act.

In violation of Title 18, United States Code, Section 1591(a) and (b)(1).

**COUNT V**

On or about June 10, 2021, through July 19, 2021, in the District of Nebraska and elsewhere, in and affecting interstate commerce, the defendant, DENNIS EUGENE SMITH, did knowingly recruit, entice, harbor, transport, provide, obtain, maintain, patronize, and solicit a girl less than 14 years of age identified as MINOR VICTIM 5, having had a reasonable opportunity to observe MINOR VICTIM 5 and knowing and in reckless disregard that MINOR VICTIM 5 was under the age of 18 years old and knowing and in reckless disregard that MINOR VICTIM 5 would be caused to engage in a commercial sex act.

In violation of Title 18, United States Code, Section 1591(a) and (b)(1).

**COUNT VI**

On or about March 3, 2021, through July 19, 2021, in the District of Nebraska, the defendant, DENNIS EUGENE SMITH, did use a facility and means of interstate commerce to knowingly attempt to persuade, induce, and entice MINOR VICTIM 2, an individual who had not attained the age of 18 years, to engage in prostitution.

In violation of Title 18, United States Code, Section 2422(b).

**COUNT VII**

Between on or about June 10, 2021, and on or about July 19, 2021, in the District of Nebraska, the defendant, DENNIS EUGENE SMITH, did use a facility and means of interstate commerce to knowingly attempt to persuade, induce, and entice MINOR VICTIM 4, an individual who had not attained the age of 18 years, to engage in prostitution.

In violation of Title 18, United States Code, Section 2422(b).

**COUNT VIII**

Between on or about March 3, 2021, and on or about July 19, 2021, in the District of Nebraska and elsewhere, the defendant, DENNIS EUGENE SMITH, did knowingly attempt to

use, persuade, induce, entice, and coerce a minor, MINOR VICTIM 2, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and the defendant knew and had reason to know that the visual depiction would be transported in interstate commerce.

In violation of Title 18, United States Code, Section 2251(a) and (e).

### **COUNT IX**

Between on or about March 3, 2021, and on or about July 19, 2021, in the District of Nebraska, the defendant, DENNIS EUGENE SMITH, did knowingly transport MINOR VICTIM 2, an individual who had not attained the age of 18 years, from Iowa to Nebraska with the intent that the individual engage in prostitution and in sexual activity for which DENNIS EUGENE SMITH could be charged for a criminal offense.

In violation of Title 18, United States Code, Section 2423(a).

### **FORFEITURE ALLEGATION**

1. The allegations contained in Counts I through V of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 1594(d).

2. Pursuant to 18 U.S.C. § 1594(d), upon conviction of an offense in violation of 18 U.S.C. § 1591, the defendant, DENNIS EUGENE SMITH, shall forfeit to the United States:

- a. any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense; and
- b. any property, real or personal, constituting or derived from, any proceeds that the defendant obtained, directly or indirectly, as a result of the offense.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant DENNIS EUGENE SMITH up to the value of said property listed above as being subject to forfeiture.

Criminal forfeiture, in violation of Title 18, United States Code, Section 1594.

A TRUE BILL. 

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FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

  
KELLI L. CERAOLO, MN #0398049  
Assistant U.S. Attorney